

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**April 9, 2007**

- C049700      THE PEOPLE v. COUSINS      (Not for Publication)**  
The judgment is reversed, and the case is remanded to the trial court with directions to appoint conflict-free counsel to relitigate defendant's motion for new trial. If the motion is denied, the court is directed to reinstate the judgment.  
DAVIS, J.  
We Concur: Scotland, P.J.  
Hull, J.
- C051889      THE PEOPLE v. GUTIERREZ      (Not for Publication)**  
The judgment is modified... As modified, the judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur: Blease, Acting P.J.  
Raye, J.
- C049803      FREY v. FOXX      (Not for Publication)**  
The judgment is affirmed. Plaintiff shall recover costs on appeal.  
BLEASE, J.  
We Concur: Scotland, P.J.  
Hull, J.
- C051047      UTILITY CONSERVATION SERVICES v. ELECTRIC & GAS INDUSTRIES ASSOCIATION      (Not for Publication)**  
The award of summary adjudication against UCS's cause of action for breach of contract is affirmed... The matter is remanded for additional proceedings consistent with this opinion. Costs on appeal are awarded to UCS...  
NICHOLSON, J.  
We Concur: Davis, Acting P.J.  
Robie, J.
- C054518      THE PEOPLE v. HALL  
BY THE COURT:**  
Pursuant to the written request of the appellant, the appeal filed on December 20, 2006, is dismissed. It is further ordered that the remittitur issue forthwith...  
SCOTLAND, P.J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**April 9, 2007, continued**

**C053268      KLEINHANS et al. v KUNSMAN, JR. et al. (Not for Publication)**  
THE COURT:  
    The opinion of this court filed March 13, 2007, in the above entitled case  
is modified...  
    ... The petition for rehearing is denied. This modification affects the  
judgment.  
BY THE COURT:  
    SCOTLAND, P.J.  
    HULL, J.  
    ROBIE, J.

**April 10, 2007**

**C050495      THE PEOPLE v. CRANE      (Not for Publication)**  
    The judgment is modified... As modified, the judgment is affirmed.  
    ROBIE, J.  
We Concur:   Scotland, P.J.  
                Hull, J.

**C051359      THE PEOPLE v. LUNA      (Not for Publication)**  
    The judgment is affirmed.  
    ROBIE, J.  
We Concur:   Davis, Acting P.J.  
                Butz, J.

**C051373      THE PEOPLE v. KUNTZ      (Not for Publication)**  
    The judgment is affirmed.  
    HULL, J.  
We Concur:   Scotland, P.J.  
                Butz, J.

**C053379      THE PEOPLE v. PALMQUIST      (Not for Publication)**  
    The judgment is affirmed.  
    ROBIE, J.  
We Concur:   Morrison, Acting P.J.  
                Butz, J.

**C051609      ALKOP AGRISERVICES, INC. et al. v. GIAMPAOLI et al.      (Not for Publication)**  
    The judgment is affirmed.  
    MORRISON, J.  
We Concur:   Scotland, P.J.  
                Blease, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**April 10, 2007, continued**

**C051650      RIVER ROCK DEVELOPMENT v. PAIK et al.**

**(Not for Publication)**

The judgment is affirmed. The Paiks shall recover their costs on appeal...

SIMS, J.

We Concur:    Scotland, P.J.

Morrison, J.

**C054640      ANTHONY M. v. THE SUPERIOR COURT OF YOLO COUNTY and YOLO  
COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES et al.**

**(Not for Publication)**

The petition for extraordinary writ is denied. The request for stay is denied  
as moot.

MORRISON, Acting P.J.

We Concur:    Robie, J.

Butz, J.

**C049048      THE PEOPLE ex rel. EDMUND G. BROWN, JR., as Attorney General, etc. et  
al. v. TEHAMA COUNTY BOARD OF SUPERVISORS et al.**

**(CERTIFIED FOR PUBLICATION)**

THE COURT:

The opinion of this court filed March 16, 2007, in the above entitled case  
is modified...

BY THE COURT:

DAVIS, Acting P.J.

NICHOLSON, J.

ROBIE, J.

**April 11, 2007**

**C052159      JORDAN v. CITY OF SACRAMENTO      (CERTIFIED FOR PUBLICATION)**

THE COURT:

It is ordered that the opinion filed herein on March 28, 2007, be  
modified...

... There is no change in the judgment.

FOR THE COURT:

DAVIS, Acting P.J.

NICHOLSON, J.

ROBIE, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**April 12, 2007**

- C050363      THE PEOPLE v. COLEMAN      (Not for Publication)**  
**C050440      THE PEOPLE v. COLEMAN**  
                The judgment is affirmed.  
                RAYE, J.  
We Concur:   Scotland, P.J.  
                Davis, J.
- C052288      THE PEOPLE v. STEWART      (Not for Publication)**  
                The trial court is directed to prepare a corrected abstract of judgment...  
The judgment is affirmed.  
                MORRISON, Acting P.J.  
We Concur:   Robie, J.  
                Butz, J.
- C052937      THE PEOPLE v. HOUK      (Not for Publication)**  
                The judgment is affirmed.  
                CANTIL-SAKAUYE, J.  
We Concur:   Blease, Acting P.J.  
                Raye, J.
- C052977      THE PEOPLE v. NEWMAN      (Not for Publication)**  
                The appeal is dismissed.  
                RAYE, J.  
We Concur:   Blease, Acting P.J.  
                Cantil-Sakauye, J.
- C052997      THE PEOPLE v. HENNESSEY      (Not for Publication)**  
                The appeal is dismissed.  
                MORRISON, J.  
We Concur:   Sims, Acting P.J.  
                Nicholson, J.
- C053661      THE PEOPLE v. PETERSON      (Not for Publication)**  
                The judgment is affirmed. The trial court is directed to amend the abstract  
of judgment... The court is further directed to send a certified copy of the  
amended abstract to the Department of Corrections and Rehabilitation.  
                MORRISON, Acting P.J.  
We Concur:   Robie, J.  
                Butz, J.



**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**April 13, 2007, continued**

- C052520      THE PEOPLE v. WILLIAMS      (Not for Publication)**  
The judgment is affirmed.  
SIMS, Acting P.J.  
We Concur: Nicholson, J.  
Robie, J.
- C051031      STIGALL v. BROWN et al.      (Not for Publication)**  
The judgment is affirmed. The Browns are awarded their costs on appeal...  
RAYE, J.  
We Concur: Blease, Acting P.J.  
Cantil-Sakauye, J.
- C041818      THE PEOPLE v. RABADUEX**  
**BY THE COURT:**  
The remittitur issued April 5, 2007, was issued in error and is ordered recalled. The San Joaquin County trial court clerk and all counsel are directed to forthwith return said remittiturs to this court.  
SCOTLAND, P.J.
- C047502      THE PEOPLE v. ANDERSON**  
**C048283      (CERTIFIED FOR PUBLICATION)**  
**THE COURT:**  
It is ordered that the opinion filed herein on April 12, 2007, be modified...  
... There is no change in the judgment.  
SIMS, Acting P.J.  
HULL, J.  
CANTIL-SAKAUYE, J.
- C049885      In re MARK B. et al. ; SACRAMENTO COUNTY OF DEPARTMENT OF**  
**C050371      HEALTH AND HUMAN SERVICES v. LESLIE B. and WILSON and WOLFF**  
**(CERTIFIED FOR PUBLICATION)**  
**THE COURT:**  
The opinion in the above matter, filed March 29, 2007, is modified...  
... This modification does not change the judgment.  
Respondent's petition for rehearing is denied.  
SIMS, Acting P.J.  
BUTZ, J.  
CANTIL-SAKAUYE, J.